

STATE OF MAINE
CUMBERLAND, ss.

SUPERIOR COURT
DOCKET NO. AP-26-10

JANE GILBERT; MARK SAYRE; and
KAITLIN WEBBER,

Petitioners,

v.

SHENNA BELLOWS, in her official capacity
as Maine Secretary of State,

Respondent.

**PETITION FOR REVIEW OF FINAL
AGENCY ACTION**

EXPEDITED ELECTION MATTER
UNDER TITLE 21-A M.R.S. § 905 AND
RULE 80C

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Pursuant to Title 21-A M.R.S. § 905, 5 M.R.S. § 11001, and Maine Rule of Civil Procedure 80C, Petitioners Jane Gilbert, Mark Sayre, and Kaitlin Webber hereby petition this Court for review of Secretary of State Shenna Bellows's March 17, 2026 decision to approve a ballot question based on the citizen initiative entitled, "An Act to Designate School Sports Participation and Facilities by Sex" (the "Ballot Initiative"). As set out below, while the Secretary properly invalidated thousands of submitted petition signatures, thousands of additional signatures were improperly validated. When these errors are corrected, the Ballot Initiative will be below the 67,682 valid signature threshold necessary to qualify for the ballot.

The Secretary's determination that the sponsor of the Ballot Initiative submitted the requisite number of signatures should therefore be vacated or, in the alternative, the matter should be remanded to the Secretary for further consideration. In support of this Petition and the relief requested herein, Petitioners state as follows:

NATURE OF THE CASE

1. Maine law sets forth a comprehensive and commonsense set of rules that govern the collection of signatures for ballot initiatives. *See generally* 21-A M.R.S. §§ 901–906; Me. Const. art. IV, pt. 3, §§ 18, 20, 22. These rules demand that the various actors involved in the signature gathering process—circulators, notaries, and voters themselves—do so in a manner that ensures the integrity of the petition process.

2. The Law Court has stressed that “[s]ignatures *must* be obtained by qualified petition circulators . . . according to an established procedure.” *Reed v. Sec’y of State*, 2020 ME 57, ¶ 3, 232 A.3d 202 (citing *Me. Taxpayers Action Network v. Sec’y of State*, 2002 ME 64, ¶¶ 3, 10, 19, 795 A.2d 75); *see also We the People PAC v. Bellows*, 519 F. Supp. 3d 13, 20 (D. Me. 2021), *aff’d*, 40 F.4th 1 (1st Cir. 2022) (explaining that proponents of an initiative “*must* file a *valid* petition with a sufficient number of signatures with the Secretary” (emphases added)). The Law Court has likewise affirmed repeatedly that signatures collected or submitted in violation of the procedures set forth in Maine law, which exist to “preserve the integrity of the . . . process,” *cannot* be validated. *Me. Taxpayers Action Network*, 2002 ME 64, ¶ 14, 795 A.2d 75 (recognizing that as “early as 1917, we held that verification of the signatures and the subsequent oath taken by the circulator is an ‘indispensable accompaniment[] of a valid petition,’ and, accordingly, that the invalidation of signatures lacking this prerequisite is necessary”) (quoting *In re Op. of the Justices*, 103 A. 761, 767 (1917)); *see also Knutson v. Sec’y of State*, 2008 ME 124, ¶ 20, 954 A.2d 1054; *In re Op. of the Justices*, 174 A. 846, 847–48 (Me. 1934); *In re Op. of the Justices*, 95 A. 869, 874–76 (Me. 1915).

3. But the Ballot Initiative campaign at issue here—an operation funded and supported largely by out-of-state interest groups and individuals—fell short of these requirements at nearly every turn, often in troubling ways that call into question the legitimacy of the Ballot Initiative.

The Secretary properly invalidated 8,659 signatures submitted by the proponents of the Ballot Initiative due to some of these failures—but the Secretary nonetheless concluded in her March 17, 2026 Determination of Validity that 71,033 signatures were “valid” and thus that the Ballot Initiative petition exceeded the necessary threshold of 67,682 signatures by a margin of 3,351. *See* Determination of Validity of a Petition for Initiated Legislation Entitled: “An Act to Designate School Sports Participation and Facilities by Sex,” **Ex. A** at 2 (“Determination of Validity”).¹

4. Petitioners allege on information and belief that circulator affidavits and oaths infected by fraudulent misrepresentations—and a series of other critical deficiencies in the submitted petition—require that thousands of additional signatures be invalidated, resulting in the Ballot Initiative proponents failing to achieve the requisite number of *valid* signatures. Indeed, in just the short few days since the Secretary’s March 17, 2026 Determination of Validity, Petitioners—registered Maine voters—identified a series of grave violations of core requirements of Maine’s initiative procedures that were overlooked in the initial determination.

5. Some of these petition violations are simple but material oversights. *See* 21-A M.R.S. § 905. For example, Petitioners identified hundreds of apparent instances where the same person signed the initiative petition twice—yet *both* signatures were counted. These hundreds of examples are in addition to many other duplicate signatures already invalidated in the initial determination.

6. Petitioners also identified a troubling pattern of statutory and constitutional violations in connection with circulator obligations. Affidavits submitted by at least four circulators who came from out-of-state to support the Ballot Initiative facially fail to affirm consent

¹ While Petitioners are including certain exhibits with this Petition to aid the Court, they reserve the right to identify or introduce additional evidence upon production of the agency record. *See* M.R. Civ. P. 80C(e), (j); *infra* note 2.

to jurisdiction of this State—in violation of the obligation imposed upon them by Maine law. *See* 21-A M.R.S. § 903-A(4)(D); Consent Order, *We the People PAC v. Bellows*, Case No. 1:20-cv-489 (D. Me. Feb. 9, 2020), ECF No. 88 (hereinafter “Consent Order”). These individuals, who accordingly were not authorized to circulate petitions in Maine, collected well over a thousand signatures on validated petitions. Moreover, Petitioners have obtained evidence—in some cases *video evidence*—that several circulators failed to witness signatures and then fraudulently submitted affidavits stating that they had—in plain violation of Maine law. Me. Const. art. IV, pt. 3, § 20; *see* 21-A M.R.S. § 902. These violations implicate hundreds of validated signatures, and potentially far more.

7. Petitioners identified a host of other petition issues that should result in the invalidation of even more previously-validated petitions—including but not limited to failures to accurately complete mandatory fields on petition pages, as well as discrepancies among notarizations and dates. And, finally, Petitioners also assert a series of problems with individual voter signatures on validated petitions—including missing dates and addresses, and the validation of signatures by individuals who do not appear to be registered to vote in Maine at all. Together, these invalid signatures further require invalidation of thousands more signatures.

8. Accordingly, when the dust settles on the “whole” record, it will be clear that the proponents of the Ballot Initiative have simply failed to qualify “An Act to Designate School Sports Participation and Facilities by Sex” for the November 2026 ballot. For this reason and those set forth in greater detail below, Petitioners respectfully request that the Court declare the Secretary’s March 17, 2026 Determination of Validity contrary to law and vacate the decision.²

² Absent instruction from the Court or an agreement among the parties otherwise, Petitioners intend to move for a limited remand to the Secretary for additional fact-finding, revised determinations

JURISDICTION AND VENUE

9. This Court has subject matter jurisdiction over this petition for review pursuant to 4 M.R.S. § 103(3)(A); 5 M.R.S. § 11001(1); and 21-A M.R.S. § 905(2).

10. The Court may exercise personal jurisdiction over the Secretary of State because this action seeks review of final action taken by the Secretary in her official capacity as Secretary of State of Maine. *See Palesky*, 1998 ME 103, ¶ 5, 711 A.2d 129 (first citing 21-A M.R.S. § 905; and then citing M.R. Civ. P. 80C).

11. Venue is proper in Cumberland County pursuant to 5 M.R.S. § 11002(1)(A) because one or more of the Petitioners resides in Cumberland County.

PARTIES

12. Petitioner Jane Gilbert is a registered voter in the State of Maine and resides in Augusta, in Kennebec County.

13. Petitioner Mark Sayre is a registered voter in the State of Maine and resides in Portland, in Cumberland County.

14. Petitioner Kaitlin Webber is a registered voter in the State of Maine and resides in Lewiston, in Androscoggin County.

15. Petitioners are aggrieved by the Secretary's March 17, 2026 Determination of Validity because that decision approved a ballot initiative that failed to satisfy the requirements of Maine law and, in doing so, advanced a discriminatory measure to the November ballot. As Maine voters, Petitioners have a direct interest in ensuring that only lawfully qualified measures appear

on these serious issues, and a revised Determination of Validity. *See, e.g., Palesky v. Sec'y of State*, 1998 ME 103, ¶ 14, 711 A.2d 129 (approving of this procedure); *Jones v. Sec'y of State*, 2020 ME 113, ¶¶ 3–4, 238 A.3d 982 (similar).

on the ballot and that the initiative process is administered in accordance with the Maine Constitution and Title 21-A. *See* 21-A M.R.S. § 905(2).

16. Respondent Shenna Bellows is sued in her official capacity as Secretary of State for the State of Maine. She is the constitutional officer charged with administering Title 21-A, Chapter 11, which governs direct petitions for citizen-initiated legislation, and is responsible for determining whether sponsors of citizen-proposed initiatives have submitted a sufficient number of petitions signed by lawful Maine voters to qualify the proposed measure for the ballot.

LEGAL BACKGROUND

I. Citizen-proposed ballot measures must comply with mandatory requirements that safeguard the integrity of the process.

17. The Maine Constitution provides that any qualified voter may propose new legislation directly to the people—but only after proponents of a citizen initiative have satisfied a series of requirements set forth in Maine law. Me. Const. art. IV, pt. 3, §§ 18, 20, 22.

18. Section 18, itself added to the Constitution through a referendum approved by the people in 1908, sets forth the relevant procedures. *See id.*³ It provides, as relevant:

1. Petition procedure. The electors may propose to the Legislature for its consideration any bill, resolve or resolution . . . by written petition addressed to the Legislature or to either branch thereof and filed in the office of the Secretary of State

2. Referral to electors unless enacted by the Legislature without change; number of signatures necessary on direct initiative petitions; dating signatures on petitions; competing measures. For any measure thus proposed by electors, the number of signatures shall not be less than 10% of the total vote for Governor cast in the last gubernatorial election preceding the filing of such petition. . . .

Me. Const. art. IV, pt. 3, § 18.

³ *See also* Me. State Leg., Constitutional Provisions for Maine’s Citizen Initiative and People’s Veto (updated through 130th Leg.), <https://perma.cc/Q7VS-NYHS>.

19. Section 18 and other constitutional provisions—discussed in more detail below—provide the core mandates that govern the initiative process, but “the Maine Constitution also grant[s] the Maine Legislature the authority to carry out those constitutional mandates,” and the “Legislature has exercised that authority by delineating the procedure by which a party may introduce an initiative.” *Me. Taxpayers Action Network*, 2002 ME 64, ¶ 10, 795 A.2d 75; *see generally* 21-A M.R.S. §§ 901–05.

20. The Constitution and governing statutes further grant the Secretary specific rulemaking authority with respect to ballot initiatives—that is, authorization to issue mandatory instructions and forms as necessary to govern the process. *See* 21-A M.R.S. §§ 901, 903; *see also Me. Taxpayers Action Network*, 2002 ME 64, ¶ 12, 795 A.2d 75 (describing Secretary’s power to oversee process).

21. Maine law governing the initiative process thus consists of constitutional, statutory, and administrative rules that serve as mandatory thresholds that proponents of a ballot initiative generally *must* satisfy to successfully place the question before the people. These requirements safeguard the integrity of the initiative process, ensure its proper usage, and protect against fraud.

22. The ballot initiative process begins with a written application on the “form designed by the Secretary,” which must contain “the names, residence addresses, e-mail addresses, telephone numbers and signatures of 5 voters,” as well as “the full text of the proposed law and a summary that explains the purpose and intent of the direct initiative in both electronic and printed formats.” 21-A M.R.S. § 901; *see also Ex. B* (Ballot Initiative Application).

23. The applicant must sign the application “in the presence of the Secretary of State, the Secretary of State’s designee or a notary public.” 21-A M.R.S. § 901. Within 15 business days of receiving an application, the Secretary must “either reject the application or provide a first

revised draft of the initiative legislation to the applicant.” *Id.*⁴ Once a petition is approved, proponents of the measure may begin to circulate the petition to garner the signatures required to advance the proposal. *See* Me. Const. art. IV, pt. 3, § 18.⁵

24. The Secretary must prepare and issue the specific “written petition” forms upon which the signatures are to be collected, as well as instructions that circulators must follow when completing and circulating them. *See* 21-A M.R.S. §§ 901–03.

25. The Constitution defines the “written petition” as “one or more petitions . . . with the original signatures of the petitioners . . . attached,” Me. Const. art. IV, pt. 3, § 20, and prescribes the minimum number of valid signatures that must be lawfully collected by petition circulators to advance the proposal—10% of the total vote for Governor cast in the last gubernatorial election. *See id.* § 18. That figure is currently 67,682. **Ex. A** at 2. Only “electors”—lawful Maine voters—can sign petitions. Me. Const. art. IV, pt. 3, § 18; *see also id.* § 20 (“electors’ mean[s] the electors of the State qualified to vote for Governor”).

26. Statutory law in turn defines circulation as the process by which “a circulator of a petition solicits signatures for the petition by presenting the petition to the voter, asking the voter

⁴ Grounds for rejection include failure to conform the proposed petition to the prescribed forms or “the essential aspects of the drafting conventions established for the Maine Revised Statutes,” such as bill titles and headnotes, conformity to numbering systems, and avoidance of purely testimonial provisions. 21-A M.R.S. § 901. This review process can involve multiple iterations, with the Secretary required to review subsequent drafts within 10 business days and provide revised drafts or suggestions for conformity with State law. *Id.* The applicant must give written consent to the final language before the petition form is designed. *Id.*

⁵ Certain filing deadlines are constitutionally prescribed. *See* Me. Const. art. IV, pt. 3, § 18(2) (requiring submission “by the hour of 5:00 p.m., on or before the 50th day after the date of convening of the Legislature in first regular session or on or before the 25th day after the date of convening of the Legislature in second regular session”). Additionally, petitions may not be filed “later than 18 months after the date the petition form was” first reviewed and approved for circulation by the Secretary of State. *Id.*

to sign the petition and personally witnessing the voter affixing the voter's signature to the petition." 21-A M.R.S. § 903-A.

27. Prior to circulating any petitions for an initiative, a petition organization must "register with the Secretary of State on a form prescribed by the Secretary[.]" 21-A M.R.S. § 903-C. The form must include the ballot question the organization will circulate, contact information for the organization, designated agent(s) for the organization and their contact information, and a list containing the names of all individuals hired by the petition organization to assist in circulating petitions. *Id.* The list must be updated and resubmitted when completed petitions are filed. *Id.*

28. Proponents of a ballot measure must provide each circulator with "a copy of the laws and rules governing the circulation of petitions for a direct initiative or people's veto as provided by the Secretary of State." 21-A M.R.S. § 903-A. The Secretary must supply this information when approved petition forms are provided. *Id.*

29. The Secretary similarly is required to prepare instructions to inform the signer and circulator of a petition of the statutory and constitutional requirements. 21-A M.R.S. § 903. The instructions must describe "conditions that have been held to invalidate either individual signatures or complete petitions" and be "printed on the petition." *Id.*; *see also* Ex. C ("Instructions to Petition Circulators for Initiative Petitions") (rev. July 2023).

30. The law also states that a "person circulating a petition must provide the voter the opportunity to read the proposed direct initiative summary and fiscal impact statement . . . prior to that voter signing the petition." 21-A M.R.S. § 901-A. The summary must be as it appears on a publicly accessible website established by the Secretary of State." *Id.*

31. Each petition circulated to voters, accordingly, must display at the top, in type no smaller than 16 points, the statement "Freedom of Citizen Information: Before a registered voter

signs any initiative petition, signature gatherers must offer the voter the opportunity to read the proposed initiative summary and fiscal impact statement,” with the summary prepared by the Secretary directly below this statement. *Id.* Each petition page must also include “a space at the top right or left corner . . . filled in with the name of the circulator collecting signatures on that petition and a unique identifying number.” *Id.* Circulators must use the form prescribed by the Secretary. *See* 21-A M.R.S. §§ 901, 903-A.

32. The Constitution separately sets specific requirements around the dating of voter signatures: “The date each signature was made shall be written next to the signature on the petition,” and a “signature is not valid if it is dated more than one year prior to the date that the petition was filed.” Me. Const. art. IV, pt. 3, § 18.

33. Each circulator must complete an oath—as to each petition they submit—attesting that the signatures on the petition are valid and were properly gathered. To that end, each petition must be “verified as to the authenticity of the signatures by the oath of the circulator that all of the signatures to the petition were made in the presence of the circulator and that to the best of the circulator’s knowledge and belief each signature is the signature of the person whose name it purports to be.” Me. Const. art. IV, pt. 3, § 20; *see also* 21-A M.R.S. § 902.

34. As a further safeguard, “[t]he oath of the circulator must be sworn to in the presence of a person authorized by law to administer oaths.” Me. Const. art. IV, pt. 3, § 20. Upon administering that oath, a notary witnessing the oath must affix a notarial certificate on each petition. *See* 21-A M.R.S. § 902.⁶ Each petition page must then be submitted to municipal

⁶ Section 903-E specifies persons who are *not* authorized to administer an oath or affirmation to a petition circulator: “A notary public or other person authorized by law to administer oaths or affirmations generally is not authorized to administer an oath or affirmation to the circulator of a petition under section 902 if the notary public or other generally authorized person is (A) providing

registrars for certification of the voters in accordance with the Constitution. *See id.* (incorporating Me. Const. art. IV, pt. 3, § 20). Registrars who receive improperly verified petitions are directed by the statute to return them without certification. 21-A M.R.S. § 902. The law also expressly states that the Secretary may invalidate a petition “if [she] is unable to verify the notarization of that petition.” *Id.* § 905. The statute requires comprehensive record-keeping, with municipal clerks required to maintain logs of submitted petitions, and notaries required to keep records of administered oaths. *Id.* § 902.

35. Circulators must also file an affidavit at the time petitions are submitted to the Secretary. The circulator affidavit must provide: (A) the “circulator’s printed name, the physical address at which the circulator resides and the date the circulator signed the affidavit,” (B) that the circulator read the information provided by the Secretary and understands the laws governing the circulation of petitions in the State, (C) that the circulator was a resident of the State and a registered voter in the State at the time of circulating the petition, and (D) that the circulator understands that the circulator can be prosecuted for violating the laws governing the circulation of petitions, “including the requirement that the circulator truthfully executed the affidavit.” 21-A M.R.S. § 903-A.

36. The Secretary is presently enjoined from enforcing the provisions of Maine law that require circulators to be residents of Maine—but, notably, *only* if sufficient other safeguards are in place to ensure that out-of-state circulators comply with Maine law. *See We the People PAC*, 40 F.4th at 26; *see also infra* Factual Allegations § III-B. To that end, the *only* non-resident circulators

any other services, regardless of compensation, to initiate the direct initiative or people’s veto referendum for which the petition is being circulated, or (B) providing services other than notarial acts, regardless of compensation, to promote the direct initiative or people’s veto referendum for which the petition is being circulated.” 21-A M.R.S. § 903-E.

authorized to circulate initiative petitions are those who are (a) otherwise qualified and (b) who have agreed to submit to the jurisdiction of Maine for purposes of petition circulation issues. *See id.* at 20; *see also infra* Factual Allegations § III-B (discussing *Bellows* and subsequent consent order). Accordingly, the affidavit form prepared by the Secretary permits circulators to either affirm their Maine residency in compliance with the Constitution or, alternatively, affirm that they agree to submit to jurisdiction of the State. *See generally* **Ex. D** (Circulator Affidavit).

37. The Law Court has repeatedly emphasized that circulator responsibilities are “pivotal’ to the circulation process.” *Knutson*, 2008 ME 124, ¶ 23, 954 A.2d 1054 (quoting *Me. Taxpayers Action Network*, 2002 ME 64, ¶ 13, 795 A.2d 75); *see also Reed*, 2020 ME 57, ¶ 4, 232 A.3d 202 (citing *Me. Taxpayers Action Network*, 2002 ME 64, ¶ 11, 795 A.2d 75). Thus, it has held that the mandates of Maine law related to petition circulation cannot be disregarded and signatures collected in violation of applicable legal requirements *cannot* be counted. *Me. Taxpayers Action Network*, 2002 ME 64, ¶ 21, 795 A.2d 75 (explaining that longstanding jurisprudence requires voiding petitions that fail to comply with the law); *see also, e.g., Knutson*, 2008 ME 124, ¶ 20, 954 A.2d 1054 (“When a petition is tendered to the Secretary that does not meet the requirements of the petition laws, it must be voided”).

II. This Court must reverse or modify the Secretary’s approval of petitions that fail to satisfy the governing legal requirements.

38. Section 905 sets forth the review provisions for petitions submitted in support of a proposed ballot measure. Under that provision, the Secretary first reviews all petitions for compliance with the requirements of Maine law and then must determine the “validity of the petition and issue a written decision stating the reasons for the decision within 30 business days from the date of filing of a written petition.” 21-A M.R.S. § 905(1).

39. The provision then prescribes review of the Secretary's decision by this Court: As relevant here, "any" voter is permitted to "appeal the decision of the Secretary of State by commencing an action" to this Court "in accordance" with Rule 80C of the Maine Rules of Civil Procedure within 10 days of the Secretary's decision. 21-A M.R.S. § 905(1).

40. The relevant review provisions direct this Court to "[r]everse or modify the decision [of the Secretary] if the administrative findings, inferences, conclusions or decisions are: (1) in violation of constitutional or statutory provisions; (2) in excess of the statutory authority of the agency; (3) made upon unlawful procedure; (4) affected by bias or error of law; (5) unsupported by substantial evidence on the whole record; or (6) arbitrary or capricious or characterized by abuse of discretion." 5 M.R.S. § 11007(4)(B); *see* M.R. Civ. P. 80C(c).

41. To facilitate construction of a proper record and efficient resolution of the proceeding, the Court has the power to correct or modify the administrative record. *See* 5 M.R.S. § 11006. To that end, the Court "may order the taking of additional evidence before the agency" or consider such additional evidence itself upon application for leave to present such evidence. *Id.* The Court also may "[r]emand the case for further proceedings, findings of fact or conclusions of law or direct the agency to hold such proceedings or take such action as the court deems necessary." 5 M.R.S. § 11007(4)(B); *see also* M.R. Civ. P. 80C(c); *Palesky*, 1998 ME 103, ¶ 14, 711 A.2d 129; *Jones*, 2020 ME 113, ¶ 35, 238 A.3d 982.

42. If the "whole" record shows that the total number of legally valid signatures is less than the number required under the Constitution to advance the measure, the Secretary's decision must be reversed or modified accordingly. *See Knutson*, 2008 ME 124, ¶ 28, 954 A.2d 1054 (directing entry of judgment vacating Secretary's decision).

FACTUAL ALLEGATIONS

I. Following failed legislative efforts to enact anti-trans measures, interest groups with out-of-state roots applied to put such measures on the ballot.

43. The Legislature has recently and repeatedly considered and rejected proposals that, like the Ballot Initiative, would discriminate against children on the basis of gender by banning or limiting the ability of transgender student athletes to participate in sports. Last year, for example, the Legislature rejected eight such proposals.⁷

44. Maine has also faced heavy pressure from the federal government to change its policies around transgender athletes in sports—but the Governor and the executive branch have steadfastly adhered to existing Maine law, which prohibits discrimination based on gender identity. *See Me. Human Rights Act, 5 M.R.S. § 4551 et seq.*

45. The conflict between Maine and the Trump Administration over the former's policies reached a head last year when the executive director of the Maine Principals' Association—which governs high school sports in Maine—announced that it would continue to allow female transgender athletes to compete in girls' sports, despite President Trump's February 2025 executive order calling for a ban on such policies.

⁷ Steve Mistler, *Maine Senate Votes Down Bills Barring Transgender Athletes from Participating on Girls' Sports Teams*, Maine Public Radio (June 16, 2025), <https://perma.cc/4247-ULYA> (noting defeat of LD 233, An Act to Prohibit Biological Males from Participating in School Athletic Programs and Activities Designed for Females When State Funding is Provided to the School; LD 868, An Act to Ensure Equity and Safety in Athletics, Restrooms, Changing Rooms and Housing at Elementary, Secondary and Postsecondary Schools; LD 1002, An Act to Protect Children's Identification by Requiring Public Schools to Use the Name and Gender Specified on a Child's Birth Certificate; LD 1134, An Act to Prohibit Males from Participating in Female Sports or Using Female Facilities; LD 1704, An Act to Prohibit a School Administrative Unit from Adopting a Policy that Allows a Student to Use a Restroom Designated for Use by the Opposite Sex. LD 1337, An act to Amend Maine Human Rights Act Regarding Female Athletes and Safety in Women's Single-sex Shelters; LD 1432, An Act to Remove Consideration of Gender Identity from the Maine Human Rights Act; and LD 380, An Act to Amend Certain Laws Regarding Gender-affirming Health Care Services).

46. On April 16, 2025, the U.S. Department of Justice filed a lawsuit against Maine’s Department of Education, claiming Maine’s policies “fail[] to comply with” federal civil rights laws. *See* Complaint, *United States v. Maine Department of Education*, No. 1:25-cv-00173 (D. Me. Apr. 16, 2025), ECF No. 1. The Trump administration also directed the U.S. Department of Agriculture to freeze federal funding for certain educational programs in Maine to coerce Maine to discriminate against transgender Mainers.

47. Against this backdrop, a group called “Protect Girls Sports in Maine” applied to place the Ballot Initiative—formally titled “An Act to Designate School Sports Participation By Sex”—on the November 2026 ballot. The Ballot Initiative, in essence, seeks to force school sports programs and facilities to mandate that participation or use be limited by sex *at birth*—vitiating existing anti-discrimination protections. *See generally* **Ex. B**. The Secretary approved the application for the Ballot Initiative on November 3, 2025.⁸

Three groups registered to circulate petitions for the measure: “Morning in America II,” based in Cave Creek, Arizona; “1st Amendment Pros LLC,” based in Sheridan, Wyoming; and “Phil Hendricks (DBA Mainely Strategies),” based in Saint Albans, Maine. *See id.* The sole Maine-based proponent of the petition has already been implicated in an ethics probe related to the Ballot Initiative based on a reported phone call wherein he offered “under the table” bonus payments to a circulator tied to also collecting straw contributions for a gubernatorial candidate.⁹

48. These organizers, in turn, recruited a large number of circulators—many from outside of Maine—to collect signatures across the State. *See generally id.* On February 2, 2026,

⁸ *See* Me. Sec’y of State, Current Citizen Initiatives and Citizen Vetoes, <https://www.maine.gov/sos/elections-voting/peoples-veto-or-citizens-initiative-resources/current-citizen-initiatives-and-peoples-vetoes> (last visited Mar. 27, 2026).

⁹ *See generally* Michael Shepherd, *Maine Republican hit with ethics complaint over a top staffer’s phone call*, Bangor Daily News (Feb. 5, 2026), <https://perma.cc/QB43-QXVC>.

the circulators submitted 8,067 petition sheets purporting to contain 79,692 valid signatures of Maine voters to the Secretary. Upon information and belief, more than half the submitted signatures came from out-of-state circulators, who—as described below—were prone to violating Maine’s circulator laws and requirements.

II. The Secretary properly invalidated large numbers of petition signatures, but nonetheless certifies the Ballot Initiative.

49. The Secretary is afforded only a brief window to review a voluminous number of petitions—30 business days to complete her review of tens of thousands of signatures. *See* 21-A M.R.S. § 905. Even operating under these time constraints, the Secretary readily (and correctly) discerned that many of the signatures, and in some instances entire petition sheets, were fatally flawed and legally invalid. For example, some of the submitted forms were so flawed that they exclusively contained signatures already deemed invalid by municipal registrars. *See Ex. A (Determination of Validity)* at 1 n.1 (noting “[three] petition forms were submitted that contained only signatures that were certified as *invalid* by municipal registrars or included no municipal certification” at all).

50. During the review, the Secretary ultimately found thousands more signatures that were invalid due to statutory and constitutional deficiencies. More than 5,000 signatures were invalid because municipal officials could not certify that the person lived in the required municipality; more than 1,600 signatures were duplicates; more than 500 signatures were rejected because the circulator swore that they witnessed the signature *before* the voter had actually signed the petition form; and nearly 500 more were invalid because the circulator *never* submitted the mandatory affidavit in which they must swear to abide by the state’s signature gathering laws. *See id.*

51. Although the Secretary was diligent in identifying this substantial number of invalid signatures, she nonetheless erred in validating a substantial number of additional signatures that reflected similar constitutional and/or statutory deficiencies. Further still, evidence obtained by Petitioners here reflects substantial circulator fraud and potential signer fraud—of which the Secretary was presumably unaware—that requires further invalidation of thousands of signatures.

III. Petitioners uncover evidence of fraudulent circulator oaths and other serious circulator problems that require invalidation of their petition sheets.

52. Petition forms and circulator affidavits are public records under Maine law. Petitioners have obtained and reviewed copies of these materials. Petitioners have also obtained sworn affidavits from individuals who witnessed incidents that make clear that many circulators submitted fraudulent oaths and affidavits—in some cases reflecting suspicious patterns that warrant close scrutiny by the Court and further scrutiny by the Secretary.

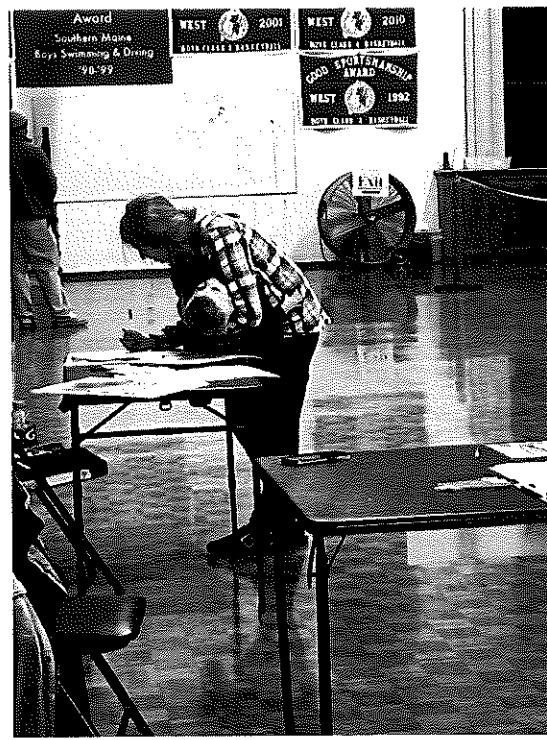
A. Several circulators fraudulently affirmed that they witnessed all signatures collected on their petitions.

53. Maine law requires every circulator to verify by oath or affirmation that the circulator personally witnessed all signatures on the petition. *See* Me. Const. art. IV, pt. 3, § 20 (petitions must be “verified as to the authenticity of the signatures by the oath of the circulator *that all of the signatures to the petition were made in the presence of the circulator* and that to the best of the circulator’s knowledge and belief each signature is the signature of the person whose name it purports to be”) (emphasis added); 21-A M.R.S. § 902 (“The circulator of a petition must sign the petition and verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the circulator *personally witnessed all of the signatures to the petition* and that to the best of the circulator’s knowledge and belief each signature is the signature of the person whose name it purports to be . . .”) (emphasis added).

54. The Secretary's instructions likewise state that the circulator "must personally witness each voter sign the petition" and "may not leave the petitions unattended at a location, or attended by someone other than yourself." *See Ex. C* (Instructions to Petition Circulators for Initiative Petitions) at 2.

55. Petitioners have obtained photographic and video evidence showing that several circulators left petition forms unattended for substantial periods of time, or otherwise allowed unknown individuals to sign or mark petition forms without the circulator present. In particular, videos taken by members of the public, and citizens tabling in public areas for other causes, show a widespread trend of the Ballot Initiative's circulators leaving their petition sheets unattended while members of the public approached those sheets and wrote on them—without the circulator present to confirm compliance with Maine law or to observe how these individuals marked up the petition sheets.¹⁰

¹⁰ Elias Vasquez #1 (Nov. 4, 2025), <https://app.box.com/s/fbh5pe9fu7iitzz9mz4dxbk217nzjszm>; Elias Vasquez #2 (Nov. 4, 2025), <https://app.box.com/s/5ixkme01s3ghhaz5179y5kb97qpplwpm>; Susan Mays (Nov. 4, 2025), <https://app.box.com/s/nrbi5dil8cfpnieyhd3mo0lbbp7jm3d2>. The videos are also accessible here: <https://app.box.com/s/noopvfxku9bgs4k4xxvkba9hpqzprk>. Petitioners provide hyperlinks to the videos for the Court's convenience in this pleading, but also intend to submit the videos and other supplemental evidence in a manner consistent with Rule 80C of the Maine Rules of Civil Procedure and other applicable rules of this Court. *Supra* note 2.



56. Upon information and belief, and other factual investigation, Petitioners have specifically identified at least two circulators—Elias Vasquez and Susan Mays—who left their petition sheets unattended and permitted members of the public to write on them without supervision. Upon information and belief, witnesses will testify—and further evidence is likely to show—that additional circulators also allowed their petitions to be drawn on outside of their presence. Those circulators therefore falsely swore that they personally witnessed all signatures collected on those petition forms.

57. Upon information and belief, there are approximately 800 validated signatures on petition forms circulated by the above circulators who left petitions unattended. That estimate is likely to prove conservative as more facts emerge about this widespread problem. Because the circulators identified to date did not personally witness all signatures on those petition forms, the circulator oaths were false, and the signatures collected on those petition forms are invalid. *See*

Knutson, 2008 ME 124, ¶¶ 27–28, 954 A.2d 1054; *Me. Taxpayers Action Network*, 2002 ME 64, ¶ 12, 795 A.2d 64.

B. Petitioners have identified at least four out-of-state circulators failed to properly consent to Maine jurisdiction on their circulator affidavits.

58. The Constitution requires that a circulator “must be a resident of this State . . . whose name must appear on the voting list of the city, town or plantation of the circulator’s residence as qualified to vote for Governor.” Maine Const. art. IV, pt. 3, § 20. Statutory law similarly requires that circulators be “a resident of the State and a registered voter in the State at the time of circulating the petition.” 21-A M.R.S. § 903-A(4)(C). Both provisions are mandatory and leave no discretion for enforcement. The Law Court has stressed that these provisions “enhance[] the integrity of the initiative process,” including by “provid[ing] the State with jurisdiction over the circulators . . . if there is a question as to the validity of the signatures collected.” *Hart v. Sec’y of State*, 1998 ME 189, ¶ 13, 715 A.2d 165 (rejecting constitutional challenge to these provisions).

59. The foregoing provisions are subject to a federal Consent Order that limits their enforcement—but only in part. *See* Consent Order. Specifically, in affirming an earlier preliminary injunction order, the First Circuit held in 2022 that these laws are likely unconstitutional to the extent they *categorically* forbid out-of-state circulators and unregistered individuals (including Mainers) from serving as circulators, because less restrictive means would serve the State’s interest in ensuring the integrity of the citizen initiative process. *See generally We the People PAC v. Bellows*, 40 F.4th 1, 26 (1st Cir. 2022); *but see also Hart*, 1998 ME 189, ¶¶ 10–11, 715 A.2d 165.

60. To resolve that dispute, the Secretary entered into a Consent Order that permanently enjoins her from enforcing the in-state circulator requirement, but ***only*** as to circulators “who (a) *agree to submit to the personal jurisdiction of Maine* for purposes of any investigation or

prosecution of any alleged violation of Maine law with respect to initiative or people’s veto petitions; (b) maintain up-to-date contact information with the Maine Secretary of State’s office, by whatever means identified by the Secretary of State’s office, for the duration of any petition drive for which they circulation petitions, which drive includes the collection of signatures and review of those signatures by the Secretary of State’s office; and (c) are responsive to requests for information from the Secretary of State’s office for the duration of the petition drive, as defined above.” Consent Order ¶ 2 (emphasis added).

61. The requirement that out-of-state circulators consent to jurisdiction in Maine—and more broadly agree to be helpful in resolving requests for information from the Secretary—is a mandatory part of Maine’s scheme for ballot initiatives. For example, Maine law requires that the circulator “understands that [they] can be prosecuted under section 904 for violating the laws governing the circulation of petitions, including the requirement that the circulator truthfully executed the affidavit.” 21-A M.R.S. § 903-A(4)(D); *see also id.* § 903-A(4)(A)–(C), (5) (setting forth other strict requirements for regulating and registering circulators), *id.* § 902 (similar); *id.* § 904 (setting forth criminal penalties for circulator violations). And as the Law Court has broadly observed, “the integrity of the initiative and referendum process in many ways hinges on the trustworthiness and veracity of the circulator.” *Me. Taxpayers Action Network*, 2002 ME 64, ¶ 13, 795 A.2d 75. The present requirement that out-of-state circulators submit to jurisdiction in Maine facilitates compliance with these critical statutory requirements.

62. To that end, in the wake of the *We the People PAC* Consent Order, the formal “Instructions to Petition Circulators for Initiative Petitions” promulgated by the Secretary in July 2023 make clear that “[c]irculators who are not Maine residents *must* agree to submit to the jurisdiction of the State of Maine, to keep current their contact information, and to respond to any

information requests from the Secretary of State, in the Circulator Affidavit[.]” **Ex. C** (emphasis added).

63. Maine also amended its circulator affidavit form to state that circulators “must” check a box confirming they are a Maine resident *or* that they consent to jurisdiction in Maine and agree to other requirements set forth in § 903-A(4)(D). *See Ex. D* (Circulator Affidavit).

64. Upon information and belief, and based upon a review of the circulator affidavits, at least four circulators—Jordan Albert, Kewechi Chukwuma, Ummsalaamah Hakeem, and a circulator who listed only the name “Cairo”—responsible for approximately 1,520 validated signatures listed an out-of-state address on the circulator affidavit, and failed to affirm by oath that they are either Maine residents *or* consented to Maine’s jurisdiction for purposes of any investigation into alleged violations of Maine law with respect to the ballot initiative.

65. The below screenshot (**Ex. D**) reflects an example from “Cairo,” who lists their residence as Scottsdale, Arizona (street address, telephone number, and email address have been redacted).



State of Maine Circulator Affidavit
For Citizen's Initiative and People's Veto Petitions

I, Cairo, currently reside at the following address:
 Printed Name of Circulator

[Redacted] Scarborough
 Street Number and Name City, State and Zip Code ME 04057

My current contact information is as follows:

Daytime phone number: [Redacted] Email address: [Redacted]
 and being duly sworn, hereby affirm the following:

I have read and understand the information provided by the Secretary of State's Office to the applicant, pursuant to Title 21-A §903-A, sub-§3, including the laws and rules governing the circulation of petitions;

I understand that I can be prosecuted under Title 21-A §904 if I violate the laws governing the circulation of petitions, including the requirement that I execute this Circulator's Affidavit truthfully;

I understand that this Affidavit must be filed with the Secretary of State at the time the signed petitions are filed.

RESIDENCY (you must check one box):

- I was a resident of the State of Maine at all times when I circulated the petition.
- I was not a resident of the State of Maine during part or all of the time I circulated the petition and, as a condition of circulating a petition in the State of Maine, I agree to the following:
 - I agree to submit myself to the jurisdiction of the State of Maine for any investigation or prosecution of any alleged violation of Maine law with respect to initiative or people's veto petitions;
 - I agree to maintain up-to-date contact information with the Maine Secretary of State's office for the duration of any petition drive for which I am circulating petitions, including while signatures are being collected and through the review of those signatures by the Secretary of State's office;
 - I agree to respond to information requests from the Maine Secretary of State's office for the duration of any petition drive for which I am circulating petitions, including while signatures are being collected and through the review of those signatures by the Secretary of State's office.

Signature of Circulator: [Signature] Date: 4 NOV. 2025

66. As the screenshot above reflects, circulators like “Cairo” have failed to satisfy the *We the People PAC* Consent Order’s “carveout” from Maine’s still extant—and mandatory—residency requirements. *See* Maine Const. art. IV, pt. 3, § 20; 21-A M.R.S. § 903-A(4)(D). They have also failed to fully and properly complete the circulator affidavit, as required by § 903-A, particularly with respect to the requirement that they acknowledge an understanding of possible criminal penalties under § 904.

67. In doing so, they have frustrated Maine’s legitimate interest in clearly establishing legal jurisdiction over out-of-state circulators *prior* to any disputes arising over the petition gathering process, including as to any necessary criminal prosecutions under § 904. *See Hart*, 1998

ME 189, ¶ 13, 715 A.2d 165; *cf. We the People PAC*, 40 F.4th at 20 (recognizing legitimate state interest in ensuring circulators consent to jurisdiction); *Nader v. Brewer*, 531 F.3d 1028, 1037 (9th Cir. 2008) (“Federal courts have generally looked with favor on requiring petition circulators to agree to submit to jurisdiction.”).

68. By failing to properly comply with Maine’s strict circulator registration and regulation provisions, as modified by the Consent Order, these circulators could not lawfully collect or submit petition signatures, and those signatures accepted by the Secretary must be invalidated. *See Me. Taxpayers Action Network*, 2002 ME 64, ¶ 13, 795 A.2d 75. Accordingly, the approximately 1,520 validated signatures on the petitions circulated by these unauthorized circulators are invalid and must be rejected.

C. An out-of-state circulator responsible for a large number of signatures failed to include their “printed name” on the circulator affidavit, as required by law.

69. Maine law requires that each circulator affidavit include, among other things, “[t]he circulator’s printed name.” 21-A M.R.S. § 903-A(4)(A). This requirement is prescribed in mandatory terms. *Id.* (“[A] person who circulates a petition *shall* execute and affidavit that *must* include the circulator’s printed name”) (emphases added).

70. Section 903 does not specifically define “printed name,” but the Secretary’s instructions state that each petitioner must, in addition to meeting other requirements, “Sign name as it appears on the voting list” in addition to providing the voter’s accompanying “printed name.” **Ex. C** (emphasis added). This requirement tracks the Maine Constitution, which vests responsibility with local registrars to confirm existing registrations of the individuals who circulators claim signed their petitions on the “voter list,” and further defines a “circulator” as a “person who solicits signatures for written petitions, and . . . whose name must appear on the *voting list* of the [municipality] of the circulator’s residence.” Me. Const. art. IV, pt. 3, § 20 (emphasis

added). While the residency requirement for circulators is itself enforceable subject to the Consent Order, these provisions make clear that the “printed name” requirement *cannot* be understood as a mere formality; the requirement is, rather, part-and-parcel with the verification procedure mandated by the Constitution. *See id.* § 22.

71. Further supporting this understanding, the statute governing voter registration requires a person registering to vote to provide their “legal name,” set out “in one of the following combinations”: (1) first and last name; (2) first initial, middle name and last name; or (3) first name, middle name or middle initial, and last name.” 21-A M.R.S. § 152(1)(A). Similarly, the provision governing identification of candidates on ballots provides that, at the very least, a candidate be identified by a first name, or at least an initial, middle name, and last name. *See* 21-A M.R.S. § 601(2)(H).

72. Petitioners are aware of no case in which a court has included that the printed name requirement—whether for voters or for circulators—is satisfied with *only* a first name or a last name. *Cf. In re Op. of the Justs.*, 116 Me. 557, 770 (1917) (concluding that petition signatures could be counted where initials were used in place of a first name, in addition to a full last name).

73. On information and belief, there are 1,472 signatures on petitions submitted by a specific out-of-state circulator whose affidavits do not have a proper printed name and are therefore invalid. In one instance, for example, the circulator recorded a single name.

I, Caro, currently reside
Printed Name of Circulator

Ex. D.

74. It is unclear whether “Cairo” is the circulator’s first or last name and, in either event, it is not compliant with the requirement that a circulator provide their printed name. Because these petition forms submitted by this circulator was not accompanied by a valid and complete affidavit containing the circulator’s full, printed name, the petition sheets submitted by these circulators are invalid and the signatures they contain must be rejected.

D. Evidence shows that some circulators did not afford voters the required opportunity to read the text of the Ballot Initiative.

75. Maine law requires that a “person circulating a petition must provide the voter the opportunity to read the proposed direct initiative summary and fiscal impact statement required by section 901 prior to that voter signing the petition.” 21-A M.R.S. § 901-A(1).

76. Petitioners have received reports and evidence indicating that at least one circulator (Hope Angel), and potentially others, did not afford signatories this legally-required opportunity, but instead routinely folded their petition sheets to obscure the Ballot Initiative language.

77. Upon information and belief, Hope Angel submitted at least 688 validated signatures, some or all of which are likely to require invalidation upon presentation of evidence showing that failed to provide voters the opportunity to read the Ballot Initiative summary, in direct violation of Maine law.

78. Petitioners are continuing to investigate the facts surrounding this occurrence and intend to present substantiating evidence in due course; they further reserve the right to supplement their evidence and allegations regarding this issue as proceedings advance, including with respect to any remand for further investigation by the Secretary.

E. Numerous circulator affidavits contained critical errors, including missing notarization dates, conflicting notarization and circulator signature dates, and omitted notary commission numbers.

79. In addition to the problems above, numerous other circulator affidavits contain critical errors not identified by the Secretary in her review.

80. *First*, Maine law requires circulators to “execute an affidavit,”—the circulator’s affidavit—which carries the connotation that the affidavit must be sworn before a notary or other official authorized to swear oaths. *See* 21-A M.R.S. § 903-A(4); *see also* Me. Judicial Branch, Legal Glossary, <https://perma.cc/U3KS-YEF2> (“Affidavit: A written statement made voluntarily and signed under oath by the person making the statement. The oath must state the affiant (the individual signing) affirms, under penalty of perjury, that the facts contained in the affidavit are true.” (emphasis added)). The Circulator Affidavit itself confirms that its contents must be “sworn” by the circulator. *See Ex. D.*

81. Under Maine law, a notary *must* record the date on which they undertook a notarial act on the accompanying notarial certificate, which is found on the bottom portion of the circulator affidavit. *See* 4 M.R.S. § 1916(1)(B) (“A notarial act must be evidenced by a certificate. The certificate must: . . . Be signed *and dated* by the notarial officer . . .” (emphasis added)); *see also* Me. Dep’t of the Sec’y of State, *Notary Public Handbook and Resource Guide* 15, <https://perma.cc/JHP9-2YZN> (“**Date all notarizations.** Often, a notarial statement has a place to insert a date, but regardless, a notarial statement date is necessary. The notarial statement date should be the same date, in the case of a jurat, as the signer’s dated signature.”). The circulator affidavit itself, again, makes this clear by including a “date” field in the relevant notarial certificate space. *See Ex. D.*

82. Upon information and belief, there are at least 1,200 validated signatures submitted by circulators whose affidavits did not include a date of notarization in the notarial certificate.

These affidavits therefore fail to comply with a basic, but essential, element of Maine's regime for ensuring the integrity of ballot initiative petitions. Because the relevant circulators therefore did not submit qualifying circulator affidavits, the signatures submitted by these circulators are invalid. *See* 21-A M.R.S. § 902; *see also* 4 M.R.S. § 1927 (preserving Secretary's authority to "reject initiative petitions under the Title 21-A on the basis of improper notarization" notwithstanding rules otherwise governing the validity of notarial acts).

83. *Second*, and relatedly, Maine law requires notarial certificates to be executed "contemporaneously" with the notarial act of swearing a signatory to an oath and witnessing their signature. *See* 4 M.R.S. § 1916(1)(A) ("A notarial act must be evidenced by a certificate. The certificate must . . . [b]e executed contemporaneously with the performance of the notarial act[.]"). In other words, a circulator's signature swearing to the oath on their affidavit and a notary's signature affirming that the circulator swore the relevant oath must be contemporaneous. In particular, "[a]fter administering the oath to the circulator, the notary public or other authorized person must sign the notarial certificate on the petition while in the presence of the circulator." 21-A M.R.S. § 902. Upon information and belief, however, there are at least 800 validated signatures submitted by a circulator whose affidavit signature occurred at least one day (and sometimes more) apart from the necessary notarial act, as reflected on the certificate. These underlying affidavits, on their face, fail to comply with the contemporaneous requirements and therefore are invalid. As a result, the signatures submitted by these circulators are likewise invalid. *See id.* ("If the petitions submitted to the registrar are not signed and verified in accordance with this paragraph, the registrar may not certify the petitions and is required only to return the petitions.").

84. Similarly, upon information and belief, there are an additional approximately 2,100 validated signatures submitted by two circulators where the notary dated the notarial certificate in a different year from the date on which the circulator signed the affidavit. On their face, these petitions do not comply with the contemporaneous requirements, and these additional 2,100 signatures are invalid for the same reason under 4 M.R.S. § 1916(1)(A) and 21-A M.R.S. § 902.

85. *Third*, the circulator affidavit form *requires* inclusion of a commission number on the notarial certificate if an out-of-state notary completes it. *See Ex. D* (Circulator Affidavit (“Commission number (if not Maine)”). That requirement makes good sense; while the Secretary and other Maine officials have greater information about registered *Maine* notaries, their ability to investigate out-of-state notaries is more limited, and thus *requires* a specific commission number to reliably identify the notary. Circulators and the notaries who verify their affirmations are not free to dispense with requirements promulgated by the Secretary to ensure integrity of initiative process. *See* 21-A M.R.S. §§ 901, 903-C. Oath and affidavit requirements are mandatory precisely because they facilitate “assurance” that signatures comply with Maine law. *See Knutson*, 2008 ME 124, ¶¶ 11–12, 954 A.2d 1054 (discussing case law). Failure to comply with a mandatory requirement is grounds for invalidation. *See id.*

86. Upon information and belief, there are at least 500 validated signatures submitted by circulators who relied upon an out-of-state notary for their circulator affidavits, but where the notary failed to supply the required commission number.

87. In sum, the Secretary should have rejected the following: (1) approximately 1,200 signatures collected by circulators lacking a notarial date on their circulator affidavit; (2) approximately 800 signatures collected by circulators who failed to execute their circulator affidavit contemporaneously with a notarial act; (3) approximately 2,100 signatures collected by

circulators whose circulator affidavit signatures are dated with different years than the relevant notarial act; (4) approximately 500 signatures collected by circulators who relied upon an out-of-state notary who failed to supply a necessary commission number; and (5) approximately 688 signatures collected and submitted by circulators who failed to provide the voter the opportunity to read the Ballot Initiative summary.

F. Several circulators later notarized forms in direct violation of Maine law.

88. Maine law prohibits anyone who “provides services other than notarial acts” that “promote” a ballot initiative from administering the oath or affirmation to circulators. *See* 21-A M.R.S. § 954-A; 4 M.R.S. § 1904(5). This is because to do so would create a conflict of interest and would invite “fraudulent notarizations.” *Reed*, 2020 ME 57, ¶ 17, 232 A.3d 202. “A notarial act performed in violation” of prohibitions of Maine law “is voidable.” 4 M.R.S. § 1904(6).

89. Upon information and belief, at least two individuals acted in clear violation of these provisions by first circulating petitions in support of the Ballot Initiative and subsequently administering circulator affidavits to *other* circulators. For example, Robert J. De Clercq circulated a petition sheet in support of the Ballot Initiative as early as November 14, 2025 and then notarized the circulator affidavits of Jean Reagan and Marc Boisse on November 19, 2025. Mr. De Clercq also notarized a number of circulator oaths on individual petition pages. Patrick Harrison likewise circulated petition sheets and subsequently notarized the affidavits of Laura Lossie, in addition to notarizing circulator oaths on individual petition pages.

90. Notarizing these circulator affidavits and oaths after circulating petitions was unlawful under both § 954-A and § 1904. The Law Court reached that precise conclusion in *Reed*, holding that two notaries who first “provided nonnotarial services to [a ballot initiative] campaign by circulating petitions” could not then lawfully notarize petition sheets for the same campaign at a later time. *See* 2020 ME 57, ¶ 19, 232 A.3d 202. That holding compels the same result here.

91. Because De Clercq and Harrison, after circulating petition sheets in support of the Ballot Initiative, were prohibited from providing notarial services to the Ballot Initiative campaign, any circulator affidavits (and petition sheets) they notarized are invalid. Because these relevant circulators therefore lacked proper affidavits, they were not qualified to gather signatures and their petition forms must be rejected.

92. Upon information and belief, at least over 200 signatures validated by the Secretary should be invalidated on this basis.

IV. The record reflects additional violations and deficiencies that require invalidating additional signatures.

A. Hundreds of voters not identified by the Secretary signed more than once.

93. Additional unlawful signatures are apparent from the face of petitions validated by the Secretary. First and foremost, on information and belief, hundreds of signatures currently in the validated count are pure duplicates—*i.e.*, some voters signed the petition twice. These are in addition to duplicative signatures already identified by the Secretary.

94. There is no question here that a single voter cannot sign twice in support of a single ballot initiative. *See Ex. A* (invalidating 1651 “duplicate[]” signatures identified by the Secretary’s office); *see also* Me. Const. art IV, pt. 3, §§ 18, 20; *see also* 21–A M.R.S. § 904 (prescribing class E crime for knowingly voting more than once on an initiative petition).

95. These hundreds of validated signatures are invalid as a matter of law.

B. Numerous petition forms lack properly executed circulator oaths or were signed *after* the circulator attested they had personally observed the signature.

96. The Constitution’s black-letter definition of “written petition” includes the requirement that it be “verified as to the authenticity of the signatures by the oath of the circulator[.]” Me. Const. art. IV, pt. 3, § 20. The circulator must swear to the authenticity of the signatures before a notary for each petition sheet and as to each signature. *See* 21-A M.R.S. § 902.

Accordingly, a petition sheet without a properly completed or notarized oath from the circulator as to the authenticity of the signatures is not constitutionally or statutorily valid.

97. Upon information and belief, there are at least 14 validated signatures submitted on petition sheets that were signed by a circulator but were not signed by a notary *at all*, meaning they were not properly sworn to as required by Maine law. *See id.* These signatures are invalid as a matter of law.

98. Relatedly, the oath contained on each petition sheet requires circulators to attest that “all signatures to the petition *were* made in the presence of the circulator and that to the best of the circulator’s knowledge and belief each signature is the signature of the person whose name it purports to be[.]” Me. Const. art. IV, pt. 3, § 20 (emphasis added); *see* 21-A M.R.S. § 902 (similar). The circulator must also swear to having “personally witnessed” the signature. *Id.* Plainly, a circulator cannot swear to having personally witnessed a voter’s signature *before* that signature exists. The oath itself makes this clear by using the past tense, meaning the person swears to having witnessed events that have already occurred in the past rather than in the future.

99. Upon information and belief, there are more than 300 validated signatures dated as having been made *after* the circulator swore their oath on the petition sheet. Because the circulator’s oath in these instances cannot serve to prove the circulator “personally witnessed” the voter’s signature, those signatures are invalid.

C. Hundreds of voter signatures should be invalidated because they lack required date information or predate the permissible circulation period.

100. Among the minimum requirements for a petition signature to be valid, the Constitution requires that “[t]he date each signature was made *shall* be written next to the signature on the petition.” Me. Const. art. IV, pt. 3, § 18(2) (emphasis added). In view of the term “shall,”

this requirement is “mandatory.” *Hann v. Merrill*, 305 A.2d 545 (Me. 1972), *see also* 1 M.R.S. § 71 (“Shall . . . indicate[s] a mandatory duty, action or requirement”).

101. Upon information and belief, over 50 signatures were deemed valid despite the fact that they lacked the constitutionally mandated date. Me. Const. art. IV, pt. 3, § 18(2). Because these signatures lack the required date, they are invalid and must be rejected.

102. In addition to being a stand-alone constitutional requirement, the date also plays a second critical role in assessing the validity of signatures because “[a] signature is not valid if it is dated more than one year prior to the date that the petition was filed in the office of the Secretary of State.” *Id.* Thus, in the petition context, even a properly dated signature ceases to have legal effect after one year and can no longer be counted.

103. Upon information and belief, over 200 validated signatures contain a date from more than one year before the petitions were submitted to the Secretary. The petition sheets were submitted to the Secretary on February 2, 2026 and so must be dated no earlier than February 2, 2025. Any signature dated earlier than February 2, 2025 is, by the plain language of the Constitution, “not valid.” *Id.*

D. Voter signatures not accompanied by the residence of the voter, as required by law, must be invalidated.

104. The Secretary also erred by validating signatures where the voter did not, as required, list their current, “actual” residence on the petition form promulgated by the Secretary.

105. The Constitution requires that all voters who sign in support of a petition be “electors of the State qualified to vote for Governor,” and those voters must be verified by the registrar of the municipality in which they are registered. Me. Const. art. IV, pt. 3, § 20; *see also id.* § 18. To carry forward this requirement, Section 902 requires circulators to “verify by oath or affirmation . . . that to the best of the circulator’s knowledge and belief each signature is the

signature of the person whose name it purports to be,” and to subsequently submit petitions containing voter signatures to the registrar for certification of the registrations. 21-A M.R.S. § 902.

106. The petition form promulgated by the Secretary, in turn, requires the voter’s “Actual Street Address,” (*i.e.*, where they currently reside) and the “Municipality” in which they are registered. *See* 21-A M.R.S. § 901(3-B) (mandating use of form promulgated by Secretary).¹¹ As the Secretary’s form suggests, the voter’s current, “actual” address is a critical component of the verification process required by the Constitution to ensure that signers are eligible voters at the time they signed the petition. Me. Const. art. IV, pt. 3, § 20 (requiring a “determination of whether the petitioners are qualified voters”). Even where a registrar may be able to confirm that a voter exists on the municipality’s list, the failure to provide the voter’s current residence removes the “minimal assurance” that the voter was in fact eligible to vote at the time they signed the petition. *Knutson*, 2008 ME 124, ¶ 13, 954 A.2d 1054.

107. At least 100 individuals failed to provide their current residence address when signing the petition form. These signatures should be invalidated or, alternatively, reviewed for further determinations of validity by the Secretary of State.

E. Scores of validated signatures are not in fact from registered Maine voters.

108. The Constitution requires that any petition signatories be registered voters. *See Me.* Const. art. IV, pt. 3, § 20. Upon information and belief, hundreds of validated signatures are in fact from individuals who are not registered to vote in Maine. These signatures are invalid as a matter of law.




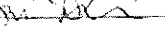
¹¹ The Secretary’s instructions to circulators states: “Absence of an address or use of a mailing address will not automatically invalidate the signature, but *may* invalidate it if the registrar cannot determine who the voter is based on the signature alone.” **Ex. C** at 2. But the instructions do not require the registrar to confirm that a voter’s registration is current—reflecting the individual’s actual place of residence at the time of the signature. *See id.*

F. Numerous signatures appear suspicious and require further review by the Secretary.

109. Upon information and belief, and based upon a preliminary review of the petition sheets produced by the Secretary in response to an open records requests, a substantial number of individual voter signatures appear suspicious, calling into question whether or not they in fact reflect the signatures of bona fide Maine voters, as required by Maine law. *See* 21-A M.R.S. § 902.

110. Below are examples of signatures that appear to be written by the same hand on behalf of several signatories and that are otherwise illegible:

• Every voter must sign the petition in the Circulator's presence.
 • Registered voters physically unable to sign, who have filed an alternative signature statement per 21-A MRS §153-A, may direct another Maine registered voter to sign the petition in their presence. The authorized individual must sign their name, the assisted voter's name, attest to signing on the voter's behalf, and complete all information on both lines (for the voter and the assistant).
 • For more information, please contact the Division of Elections at (207) 624-7650

Registered voter's name	Voter's Signature	Voter's Printed Name	Date Signed	Actual Street Address (Not PO Box)	Municipality (Where Registered)
		Megan Howe	11/21/20	15 Ellingwood Rd	West Paris
		Seth Howe	11/21/20	15 Ellingwood Rd	West Paris
		Danielle Deane	11/22/20	9 Overlook Terr	West Paris
		Sherran Deane	11/22/20	9 Overlook Terr	West Paris

111. Petitioners are continuing to review similarly suspicious signatures and expressly reserve the right to present additional evidence regarding suspicious or fraudulent signatures as these proceedings continue, including as to any remand for further investigation by the Secretary.

V. The violations and deficiencies above require invalidating signatures that bring the ballot measure substantially below the necessary threshold for ballot placement.

112. Under the Maine Constitution, a direct initiative petition must contain valid signatures equal to but not less than 10% of the total vote for the Governor race in the last gubernatorial election preceding the filing of the petition. Me. Const. art. IV, pt. 3, § 18(2). Following this formula, the Secretary determined that a minimum of 67,682 signatures are needed to place a ballot initiative on the November 2026 ballot.

113. The Secretary issued her Determination of Validity on March 17, 2026, finding that 71,003 signatures were valid and 8,659 signatures were invalid. In other words, the Secretary determined that the Ballot Initiative’s backers met the necessary threshold by just 3,351 signatures.

114. As set forth above, Petitioners have identified thousands of additional signatures that were either incorrectly determined to be valid as a matter of law, or that must be invalidated in view of evidence showing that the relevant circulators engaged in fraud by falsely swearing to having witnessed every signature. Upon information and belief, Petitioners contend that the foregoing challenges will conservatively invalidate at least 7,000 signatures, and potentially significantly more.

115. Once those invalid signatures are excluded from the Secretary’s original valid-signature count, the total remaining number of valid signatures falls substantially below the constitutionally required minimum to be deemed valid. Me. Const. art. IV, pt. 3, § 18(2).

CLAIM FOR RELIEF

REVERSAL OR VACATUR OF SECRETARY OF STATE DECISION TO VALIDATE INITIATIVE PETITION (21-A M.R.S. § 905, 5 M.R.S. § 11001, RULE 80C)

116. Petitioners repeat and reallege Paragraph 1 through Paragraph 115 as if fully set forth herein.

117. This Court must “[r]everse or modify the decision” of the Secretary, including any “findings, inferences, conclusions” or other decisions that are contrary to law, in excess of her statutory authority, based upon unlawful procedures, affected by any error of law, unsupported by substantial evidence, or “arbitrary or capricious or characterized by abuse of discretion.” 5 M.R.S. § 11007(4)(C); M.R. Civ. P. 80C(1); *see also, e.g., Knutson*, 2008 ME 124, ¶ 8, 954 A.2d 1054 (citing *Palesky*, 1998 ME 103, ¶ 9, 711 A.2d 129). The Court is also empowered to “[r]emand the case for further proceedings, findings of fact or conclusions of law or direct the agency to hold

such proceedings or take such action as the court deems necessary.” 5 M.R.S. § 11007(4)(B); *Palesky*, 1998 ME 103, ¶ 14, 711 A.2d 129.

118. As set forth above, the Secretary erred in validating the numerous categories of signatures that suffer from a fatal legal defect. As further set forth above, video and photographic evidence reveals that several circulators falsely swore to having personally witnessed the signatures they submitted for verification, and in doing so violated Maine law.

119. Thus, upon information and belief, the number of previously validated signatures that must be invalidated pursuant to Maine law deprives the proponents of “An Act to Designate School Sports Participation and Facilities by Sex” of the required number of valid signatures (67,682) to validate the measure for inclusion on the November 2026 ballot. *See* Me. Const. art. IV, pt. 3, § 18 (“For any measure thus proposed by electors, the number of signatures shall not be less than 10% of the total vote for Governor cast in the last gubernatorial election preceding the filing of such petition.”).

120. The Secretary’s March 17, 2026 determination of validity therefore violates Article IV, Part 3, Sections 18 and 20 of the Maine Constitution as well as its implementing statutes, *see id.* § 22; 21-A M.R.S. §§ 901–05. When the whole record is considered, the Secretary’s Determination of Validity is further unsupported by the evidence.

WHEREFORE, Petitioners request that this Court:

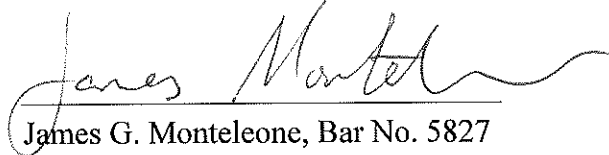
- A. Declare the Secretary’s March 17, 2026 Determination of Validity contrary to Article IV, Part 3, Sections 18 and 20 of the Maine Constitution;
- B. Declare the Secretary’s March 17, 2026 Determination of Validity contrary to Maine Revised Statutes, Title 21-A, Sections 901 to 905;
- C. Reverse and vacate the Secretary’s March 26, 2026 Determination of Validity;

D. Remand the March 17, 2026 Determination of Validity to the Secretary to correct the errors identified herein and, as appropriate, to investigate the substantial evidence of circulator fraud identified herein;

E. Grant such other relief as is just and proper.

Dated: March 27, 2026

Respectfully submitted,



James G. Monteleone, Bar No. 5827

BERNSTEIN SHUR

100 Middle Street/ PO Box 9729

Portland, ME 04104-5029

(207) 774-1200

jmonteleone@bernsteinshur.com

/s/ Ben Stafford

Ben Stafford*

Tyler L. Bishop*

ELIAS LAW GROUP LLP

1700 Seventh Avenue, Suite 2100

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Christopher D. Dodge*

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ELIAS LAW GROUP LLP

250 Massachusetts Ave NW, Suite 400

Washington, D.C. 20001

(202) 968-4490

cdodge@elias.law

mmcqueen@elias.law

mhaidar@elias.law

Counsel for Petitioners

** Pro Hac Vice Application Forthcoming*

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

Determination of the Validity of a Petition for Initiated Legislation Entitled:

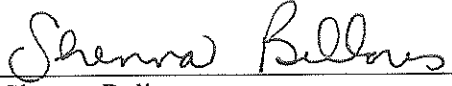
“An Act to Designate School Sports Participation and Facilities by Sex”

1. On February 2, 2026, 8,067 petition forms containing 79,692 signatures were submitted to the Secretary of State pursuant to the Constitution of Maine, Article IV, Part Third, Section 18 on behalf of the above-entitled initiated legislation.¹
2. Following a review of these 8,067 petition forms, I find the following signatures to be invalid for the following reasons:
 - A. 5,066 signatures are invalid because they were not certified by the registrar as belonging to a registered voter in that municipality. (REG)
 - B. 1,651 signatures are invalid because they are duplicates of signatures already counted. (DUP)
 - C. 504 signatures are invalid because they were dated after the date that the circulator’s oath was completed in the presence of the notary or the voter’s signature was not dated and it could not be determined that the voter signed the petition before the circulator took the oath. (DATE)
 - D. 478 signatures are invalid because the circulator did not file a circulator’s affidavit at the time the petitions were filed with the Secretary of State. (AFF)
 - E. 278 signatures are invalid because the voter’s signature was crossed out on the petition form. (WD)
 - F. 233 signatures are invalid because the voter failed to provide a signature. (SIG)
 - G. 152 signatures are invalid because the circulator’s oath was not completed prior to submitting the petition to the registrar for certification. (PRIOR)
 - H. 101 signatures are invalid because the registered voter’s signature was made by another. (ANO)
 - I. 90 signatures are invalid because the circulator’s oath was not complete or not administered properly. (OATH)
 - J. 64 signatures are invalid because of material alterations to the petition. (ALT)
 - K. 29 signatures are invalid because the certification of the registrar was not completed. (CERT)

¹ An additional 3 petition forms were submitted that contained only signatures that were certified as invalid by municipal registrars or included no municipal certification. The Secretary of State did not complete a full review of signatures included on these 3 petition forms and these signatures were not included in the final tally of signatures that culminated in this Determination of Validity.

- L. 9 signatures are invalid because the petition was not on the approved form. (FORM)
 - M. 4 signatures are invalid because the petition forms were received by the municipal office after the municipal filing deadline. (AMD)
3. For the reasons set forth above, on the 8,067 petition forms filed with the Secretary of State, I find that 71,033 signatures are valid and 8,659 signatures are invalid. The number of signatures required to determine the petition to be valid is 67,682. Because the number of valid signatures exceeds the required number by 3,351 signatures, I find the petition to be valid.

Dated: March 17, 2026



Shenna Bellows
Secretary of State

Petition Organization Registration Application

Prepared by the Division of Elections pursuant to Title 21-A M.R.S., §903-C

Title 21-A, Maine Law on Elections, § 903-C, sub-§1 requires a petition organization to register with the Secretary of State prior to organizing, supervising or managing the circulation of petitions for a direct initiative or a people's veto referendum. This registration application must include a list of all individuals hired by the petition organization for the purpose of circulating petitions or organizing, supervising or managing the circulation process. Petition organization means a business entity that receives compensation for organizing, supervising or managing the circulation of petitions for a direct initiative or a people's veto referendum.

Ballot question or title of each direct initiative or people's veto referendum for which the organization will receive compensation:

Protect Girls Sports in Maine
An Act to Designate School Sports Participation by Sex

Contact information for petition organization:

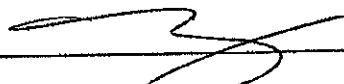
Name of Petition Organization: MORNING IN AMERICA II

Mailing address: 40345 North 51st Street
Cave Creek, AZ 85331

Telephone number: 480-518-6168

Email address: TMOONEYAZ@GMAIL.COM

Signature of designated agent for petition organization:



Printed name and title of designated agent:

Timothy F. Mooney / President

(Continued on Reverse)

*Secretary of State Division of Elections, 101 State House Station, Augusta, ME 04333-0101
Phone (207) 624-7650/Fax (207) 287-5428*

EXHIBIT

B

List of individuals hired by the petition organization (please type or print legibly):

TIM MOONEY, OLIVER KIVINEN, RYAN
McMANN, DAVEY WESSELS, MARKY ARMADAI
PAYTON WARREN, SOFIA PRIDE, STEVEN SCHARF
MATT BOUCHER, PAUL MILLS, TROY POOL,
PHIL HENDRICKS

Petition Organization Registration Application

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Ballot question or title of each direct initiative or people's veto referendum for which the organization will receive compensation:

Protect Women's Sports in Maine *Protect Girls Sports in MAINE*

An Act to Designate School Sports Participation by Sex

Contact information for petition organization:

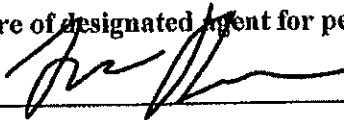
Name of Petition Organization: 1st Amendment Pros LLC

Mailing address: 30 N Gould ST Ste R Sheridan, WY 82801

Telephone number: 512-784-0128

Email address: trey@1apros.com

Signature of designated agent for petition organization:



Printed name and title of designated agent:

Joe Pool CEO

(Continued on Reverse)

*Secretary of State Division of Elections, 101 State House Station, Augusta, ME 04333-0101
Phone (207) 624-7650/Fax (207) 287-5428*

List of individuals hired by the petition organization (please type or print legibly):

David Owen, Joe Pool, Jenn Horal, Raymond Stocking, Sanford Pankin,

Byron Pargo, Ken Folwell, Ryan Caverly, Steven O'Neil, Justin Bagarella,

Stephen MacDougall, Shreya Thakur, Marc Caverly, Ashley Wonson, Brianna Flood,
Josh Groves, Melissa Burnham, Ezra Hickey, Sandra Langois, Lucas Donnelly,

Franklyn Gonzalez, Hailey Frick, Gerald Bundy, David Melnikov, Tyler Wells,

Landon Farrell, Jeff Argrave, Alex Girard, Daniel Cannavina, Kevin Tessier, David Poyer

Kevin Tessier, Nick Osgood, Tim Pinkham, Anthony Lotane, Daniel Niles, Dave Slessinger,

Elias Vasquez, Hope Angel, Jeremiah Rose, Matt Holnholt, John Megie, Makalani Gipson,

Travis Napier, Karen Burch, Steven Reed, Shane Black, Will Weffer, Melissa Berthel

Michael Fournier, Lavaniel Hicks, Ulysees Archie, George Ibourugu, Brian Lyra, Josef Bautista

Justin DiPietro, Zyven Sobkowski, Ivy Castaneda, Gideon Nagel, Vlad Litvin,

Christopher Johnson, Avery Washington, Patrick Johnny-Boston, Georgan Iborugu

Peter Przybycien Colleen Goode, Susan Wasserman, James Hill

Petition Organization Registration Application

Prepared by the Division of Elections pursuant to Title 21-A M.R.S., §903-C

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Ballot question or title of each direct initiative or people's veto referendum for which the organization will receive compensation:

Protect Girls Sports in MAINE
AN Act to Designate School Sports Participation
AND Facilities by Sex

Contact information for petition organization:

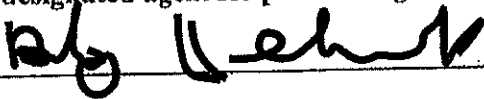
Name of Petition Organization: Phil Hendricks (DBA Mainely Strategies)

Mailing address: 14 Melody Ln, St Albans, ME 04971

Telephone number: 207 349 0488

Email address: mainelystrategies@gmail.com

Signature of designated agent for petition organization:



Printed name and title of designated agent:

Philip Hendricks

(Continued on Reverse)

*Secretary of State Division of Elections, 101 State House Station, Augusta, ME 04333-0101
Phone (207) 624-7650/Fax (207) 287-5428*

List of individuals hired by the petition organization (please type or print legibly):

Diane Loranger, Jason Antis, Herbert Burton, Jim Tracey,

~~Tanner Barker, Herbert Burton, Dennis Graise, Chris Avis, \~~
Chris Sylva, Jeremy Bubier, Sarah R, Shari perkins, Ralph

~~Hutchinson, Shamar Wicker, Joe Harris, Tramon Cross,~~
~~Kendrick Johnson, Greg Trust, Wendi Clark, Robert Dylan~~
~~Craven, Fritz jean Baptiste, Bobbie Nichols, Beth Bennett,~~
Tanner Barker, Larry Laws, Nick osgood, Susan Mays, Micah

~~Marchbanks, Vincent Ivory, Donna Aikens, Julian Leonard,~~
~~Angie Anderson, Marilyn Lowe, Vincent Devany, lauren~~
~~Pearse, Christen McClees, Hillary Titcomb, Ellis Perry, Guy~~
Labida, Lindsey Crawford, Brian Leavitt, Phil Hendricks, Caleb

~~Ripton, Jay Abrahamson, Ian Ripton, Nick Serappa, Braeden~~
~~Davis,Olivia Grounds, Eva Calliores, Mitchel~~
~~Rounds,Sebastian Soto, Nicholas Hamlin, Nicholas White ,~~
Joseph Muzio, Reid,

~~Guillemette, Zachary Rouda, Elizabeth George (Libby), Paul~~

~~Davoren , Nicholas Reed , Jeffery Blair, Alexander Porteli,Mark~~

~~Hoffman, Michael Howell, Zachary Mallon, Jake Graham ,~~

~~Mellisa Jullig, Jonathan Giles , Peggy Mathews, Sybilla~~
~~Pettrengil, Josh Visga , Jason Biedinger~~

**INSTRUCTIONS TO PETITION CIRCULATORS
FOR INITIATIVE PETITIONS
Revised by the Office of the Secretary of State, July 2023**

Pursuant to Title 21-A, Maine Law on Elections, §903-A, sub-§3, the Secretary of State is required to provide a copy of the laws and rules governing the circulation of petitions for a direct initiative. These instructions will provide guidance to individual circulators regarding what those laws require you to do.

Requirements for Circulators:

- Circulators are not required to be Maine residents in order to collect signatures for citizen initiative petitions. Circulators who are not Maine residents must agree to submit to the jurisdiction of the State of Maine, to keep current their contact information, and to respond to any information requests from the Secretary of State, in the Circulator Affidavit described below.
- Maine law requires that each circulator fill out a Circulator Affidavit. You must take the oath printed on that certificate before a Notary Public or other person authorized by law to administer oaths or affirmations (such as an attorney). The affidavit states that the circulator has read and understands the instructions provided by the Secretary of State regarding laws and rules governing the circulation of petitions; that the circulator is a Maine resident or, if not, agrees to submit to the jurisdiction of the State of Maine, to keep their contact information current, and to respond to any information requests from the Secretary of State; and that the circulator may be prosecuted for violating any laws governing petition circulation.
- As the circulator of a petition, you solicit signatures for the petition by presenting the petition to the voter, asking the voter to sign the petition and personally witnessing the voter affixing the voter's signature to the petition.
- You must print your name and a unique identifying number in the space provided on each page of the petition that contains space intended for voter signatures. Although the law does not specify what the unique identifying number must consist of, the Secretary of State recommends the circulator assign a sequential number to each petition circulated by that circulator.
- When you present the petition to individual voters to sign, you must first give them an opportunity to read the summary on the front of the petition and to read the full text of the legislation that is printed on the petition.

Signature Requirements:

- Individual voters must sign their own names to the petition. No one (not even a spouse or child of an elderly parent) may sign for another person.
- The Maine Constitution and Title 21-A §153-A provide a procedure to allow a voter with a disability who is unable to sign their name to authorize another person to sign on the voter's behalf after submitting an *Alternative Registration Signature Statement* to the municipal registrar in the municipality where the voter is registered to vote. The law defines a signature to include a signature stamp, a signature written by another voter under the alternative registration procedure, and a mark.
- The voter's authorized signer **may not be** the circulator of the petition, the voter's employer or an agent of that employer or an officer or agent of the voter's union. The authorized signer must sign at the voter's direction and in the voter's presence. The signer may use the voter's signature stamp or sign for the voter.



In addition to using the voter's signature stamp or signing for the voter, the individual assisting the voter must print and sign the individual's own name and residence address on the petition or form.

- The voter must sign the petition in your presence, which means that you must personally witness each voter sign the petition. You may not leave the petitions unattended at a location, or attended by someone other than yourself. You must be able to take the oath that is written on the petition and state truthfully that you personally witnessed each person sign the petition.
- A voter may only sign a particular initiative or referendum petition once. If a voter tells you that they have already signed a petition for this same initiative or referendum and asks if the voter can sign again, you should inform the voter that duplicate signatures will not be valid and that signing a petition more than once is a Class E crime.
- Each voter must sign their name in the far left column of the petition, using the voter's cursive signature, and using the name under which they are registered to vote. The use of initials, nicknames or other variations in the name (e.g. Mrs. John Doe instead of Jane Doe) will not automatically invalidate the signature, but may invalidate it if the registrar cannot determine if the signer is a registered voter.
- You or the voter should print the voter's name in the column after the voter's signature. Absence of a printed name will not automatically invalidate the signature, but may invalidate it if the registrar cannot determine who the voter is based on the signature alone.
- You or the voter should print the voter's physical address on the petition. The address should be the address where the voter resides and is registered to vote. This address should *not* be a P.O. Box. Absence of an address or use of a mailing address will not automatically invalidate the signature, but may invalidate it if the registrar cannot determine who the voter is based on the signature alone.
- The date of each voter's signature must be printed in the date column.
- Do not mark anything in the first column of the petition labeled "(For Registrar's Use Only)". This space is reserved for the registrar of voters to indicate if the signature is valid.
- Do not mark anything in the area labeled "Registrar's Certification". This space is reserved for the registrar of voters to indicate the total number of valid and invalid signatures.
- Do not mark anything in the area labeled "Petition Log – For Secretary of State Use Only". This area is reserved for use by the Secretary of State staff in the final certification process.

Circulator's Oath:

- When you have finished collecting signatures on a petition form, you must take the petition form (or forms) to a Notary Public or other person authorized by law to administer oaths or affirmations (such as an attorney). The Notary Public or other authorized person must administer the Circulator's Oath that is printed on the petition. This means they must read the oath aloud to you or ask you to read it. After the Notary Public administers the oath to you, you must sign your name in the signature space in the Circulator's Oath block on the petition and print your name in the space beside the signature and the Notary Public or other authorized person must sign and date the notarial certificate on the petition *while in your presence*. By signing your name before the Notary, you are taking an oath that you personally witnessed each voter whose name is listed above on that petition sign the petition and that to the best of your knowledge and belief these individuals are who they claim to be. Once you have taken an oath on a petition, you cannot gather any more signatures on that petition form. If you want to gather additional signatures, you must use a new petition form.

- You cannot be an immediate family member of the Notary Public who administers your oath or notarizes your petition. This means you should not have a Notary Public administer your oath and notarize your signature if that Notary is your spouse, domestic partner, parent, sibling, child, or your in-law or a step or half relative.
- You must appear before the Notary to complete the circulator's oath **prior** to submitting the petition form (or forms) to the registrar of the municipality where the petition was circulated for purposes of verifying which signatures were made by registered voters from that municipality. The registrar may not certify any petitions submitted without the circulator's oath being completed, and must instead return the petitions.
- The Notary Public or other authorized person who administers your oath must keep a log of all the petitions for which they administered your oath, listing the title of the petition, your name, the date of the oath and the number of petition forms that you signed and verified that day in the notary's presence.

Certification of Petitions by Municipal Registrars:

- In addition to the Circulator's Oath, the Registrar's Certification must also be completed on each petition. The registrar of voters in the municipality where the petition was circulated must complete this certification verifying which signatures were made by registered voters from that municipality.
- As a circulator, you should check with the organizers of the petition effort to determine if you should take the signed petitions to the registrar or if the organizers will do this.
- Petitions should be delivered to the appropriate municipal registrar for certification as soon as possible after circulation. This will provide the municipal election officials ample time to certify the petitions to determine which signatures were made by registered voters of the official's municipality. Pursuant to the Maine Constitution, Article IV, Part Third, Section 20, the deadline for submitting petitions to the registrar for certification is 5:00 p.m. on the 10th day before the Constitutional deadline for filing with the Secretary of State. **Local officials are not authorized to certify any petitions that they receive after this deadline.** The registrar must certify petitions that have been filed on the deadline day within 5 business days after receipt.
- Our office will be advising local election officials to date stamp all petitions received for certification so that it can be determined whether they were submitted on time. Signatures on late filed petitions will be deemed invalid.

Alterations on the Petition:

It is illegal for a circulator (or anyone else) to make changes or alterations to petitions (e.g., changing the date of signatures or date of notarization for the circulator's oath).

The only change that you as a circulator may make to a petition is to strike through the signature of any voter that you did not personally witness sign the petition. If an election official determines that unauthorized persons have made material alterations to a petition, it is possible that all signatures on that petition will be determined invalid. Thus, you should make sure that the correct date is written beside each signature on the petition. If you determine that the Notary has made a mistake in dating your circulator's oath, you must take the petition back to the Notary to correct it – do not simply change the date yourself. The Notary should initial the correction and make a notation of the basis for the correction.

If you or the organizers of your petitioning campaign have any questions about laws or procedures regarding citizen initiative or people's veto petitions, call the Division of Elections at 624-7650.



State of Maine Circulator Affidavit
For Citizen's Initiative and People's Veto Petitions

I, Caird, currently reside at the following address:
Printed Name of Circulator

8780 E. McKellips Road #86 Scottsdale AZ 85257
Street Number and Name City, State and Zip Code

My current contact information is as follows:

Daytime phone number: 562 264 9082 Email address: Reddoorinc@gmail.com
and being duly sworn, hereby affirm the following:

I have read and understand the information provided by the Secretary of State's Office to the applicant, pursuant to Title-21-A §903-A, sub-§3, including the laws and rules governing the circulation of petitions;

I understand that I can be prosecuted under Title 21-A §904 if I violate the laws governing the circulation of petitions, including the requirement that I execute this Circulator's Affidavit truthfully;

I understand that this Affidavit must be filed with the Secretary of State at the time the signed petitions are filed.

RESIDENCY (you must check one box):

- I was a resident of the State of Maine at all times when I circulated the petition.
I was not a resident of the State of Maine during part or all of the time I circulated the petition and, as a condition of circulating a petition in the State of Maine, I agree to the following:
I agree to submit myself to the jurisdiction of the State of Maine for any investigation or prosecution of any alleged violation of Maine law with respect to initiative or people's veto petitions;
I agree to maintain up-to-date contact information with the Maine Secretary of State's office for the duration of any petition drive for which I am circulating petitions, including while signatures are being collected and through the review of those signatures by the Secretary of State's office;
I agree to respond to information requests from the Maine Secretary of State's office for the duration of any petition drive for which I am circulating petitions, including while signatures are being collected and through the review of those signatures by the Secretary of State's office.

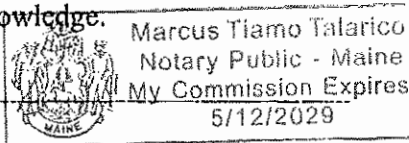
Signature of Circulator: [Signature] Date: 4 NOV. 2025

STATE of: Maine
COUNTY of: Androscoggin

Date: NOV 04 2025

Personally appeared before me the above-named circulator and made oath that the foregoing statements made by the circulator are true and correct to their own personal knowledge.

Signature of Notary Public: [Signature]



Printed Name: _____



My Commission expires: _____ Commission number (if not Maine): _____